IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

WP(C).No. 33623 of 2007(C)

OS.1274/2007 of PRL.M.C.,ERNAKULAM
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PETITIONERS:
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1. **T.K.SURESH KUMAR, IIND GRADE OVERSEAR, PWD ELECTRICAL SUB DIVISION, EDAPPALLY, ERNAKULAM.**

2. **V.P.PRASAD, JUNIOR MANAGER, CIVIL SUPPLIES CORPORATION, MUVATTUPUZHA P.O., ERNAKULAM.**

3. **M.J.THOMAS HERBIT, U.D.CLERK, GOVERNMENT PRESS, KAKKANAD, ERNAKULAM DISTRICT.**

BY ADV. SRI.P.N.RAMAKRISHNAN NAIR
SRI.P.VISWANATHAN
SRI.AJU MATHEW

RESPONDENTS:
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1. **THE KERALA NGO ASSN., EKM DIST.COMMITTEE REP. BY DIST.PRESIDENT C.AJAYAKUMAR, AGED 46, 'SREEVALSAM', PALLIPPURAM P.O., CHERTHALA AND NOW RESIDING AT N.G.O QUARTERS, QUARTERS NO.IIIA 12/68 THRIKKAKARA P.O., ERNAKULAM DISTRICT.**

2. **THE KERALA NGO ASSN., HAVING PRINCIPAL PLACE OF ACTIVITY AT NGO BHAVAN, BAKERY JUNCTION, OPP.RBI, PALAYAM, TVM, REP. BY STATE VICE PRESIDEN K.V.MURALEEDHARAN, AGED 48, 'SAFALYAM', NEAR RAILWAY STATION, FOOD CORPN. OF INDIA ROAD, ANGAMALY P.O., ERNAKULAM DIST.**

3. **THE KERALA NGO ASSN., STATE COMMITTEE, REP. BY STATE VICE PRESIDENT, K.V.MURALEEDHARAN, AGED 48, 'SAFALYAM', NEAR RAILWAY STATION, FOOD CORPN. OF INDIA ROAD, ANGAMALY P.O., ERNAKULAM DIST.**

4. K.K. XAVIER,
U.D. CLERK, DISTRICT LOTTERY OFFICE,
ERNAKULAM NORTH, ERNAKULAM.

5. BABY THOMAS,
IIIRD GRADE OVERSEAR, P.W.D. ROADS SECTIONS,
KALLURKKAD, P.O. KALLURKAD, MUVATTUPUZHA,
ERNAKULAM DISTRICT.

6. M.R.UNNIKRISHNAN,
ATTENDER, RAMAVARMA PALACE DISPENSARY, MEKKARA,
THRIPUNITHURA, ERNAKULAM DISTRICT.

7. V.K. THAHARUDHEEN,
U.D. CLERK, OFFICE OF THE DEPUTY DIRECTOR OF
EDUCATION, CIVIL STATION, KAKKANAD.

8. K. SURENDRAN,
ASST.FIELD OFFICER, ICDS SUB DIVISION,VENDUVAZHY,
KOTHAMANGALAM, ERNAKULAM DISTRICT.

9. N.K. KRIPA,
VILLAGE OFFICER, CHERANELLOOR VILLAGE OFFICE,
ERNAKULAM DISTRICT.

10. SURESH BABU,
LIFE STOCK INSPECTOR, ICDS SUB CENTRE,VALAMPOOR,
PATTYMATTAM, PERUMBAVOOR, ERNAKULAM DISTRICT.

11. P.N. GOPINATHAN NAIR,
U.D. CLERK, DIVISIONAL FOREST OFFICE,
KOTHAMANGALAM, ERNAKULAM DISTRICT.

12. P.N. SUKESAN,
P.T.MENIAL (COOK), COMMUNITY HEALTH CENTRE,
PIRAVOM, ERNAKULAM DISTRICT.

13. A.K. DASAN,
L.D. CLERK, HILL PALACE MUSEUM, TRIPUNITHURA,
ERNAKULAM DISTRICT.

14. SINU P. LAZAR,
L.D. CLERK, MAHARAJAS COLLEGE, ERNAKULAM.

R1 TO R3 BY BUBU JOSEPH KARUVATHAZHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N. KRISHNAN, J.

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W.P.C. NO. 33623 OF 2007

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Dated this the 14th day of November, 2007.

J U D G M E N T

This writ petition is filed seeking to set aside the order passed by the Munsiff, Ernakulam in I.A.9048/07 in O.S.1274/07 and also to issue a direction to the Munsiff Court, Ernakulam to issue carbon copy of the order in I.A.9048/07 in O.S.1274/07. The plaintiff in the suit is represented here also. The learned Munsiff has passed an order under Order 39 Rule 1 of CPC and it is an appealable order under Order 43 Rule 1 of CPC. So, when there is a specific statutory remedy provided this Court is not inclined to entertain its jurisdiction under Article 227 of the Constitution of India. But, so far as the second prayer is concerned as the aggrieved party has to challenge the order for redressal of his grievance, the Court below is directed to issue carbon copy within a period of two weeks from today.

The writ petition is disposed of accordingly.

M.N. KRISHNAN, JUDGE.

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